



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—कोकण विभागीय पुरवणी

वर्ष २, अंक ३४]

मंगळवार, ऑक्टोबर ४, २०१६/आश्विन १२, शके १९३८

[पृष्ठ ४, किंमत : रुपये ११.००

असाधारण क्रमांक ४६

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 1st October 2016

NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPB. 4316/46/C.R. 106/2016/UD-11.—Whereas, the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as “the said Development Control Regulations”) have been sanctioned by the Government in the Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “the said Act”) *vide* Notification No. DCR. 1090/RDP/UD-11, dated the 20th February 1991 so as to come into force with effect from the 25th March 1991 ;

And whereas, the Government of Maharashtra *vide* Notification of Housing and Special Assistance Department No. SRP 1095/CR-37/ Housing Cell, dated the 16th December 1995 has appointed the “Slum Rehabilitation Authority” (hereinafter referred to as “the said Authority”) under the Maharashtra Slum Areas (Improvement, Clearance & Redevelopment) Act, 1971, for the purpose of slum rehabilitation in Brihan Mumbai ;

And whereas, according to the provision of the clause (19) of Section 2 of the said Act, the said Authority is the Planning Authority in respect of slum rehabilitation areas for the purpose of implementation of Slum Rehabilitation Schemes in Brihan Mumbai ;

And whereas, the Government of Maharashtra in the Urban Development Department *vide* Notification No. DCR. 1095/1209/C.R. 273/95/UD-11, Dated the 15th October 1997, which is published in the Government of Maharashtra *Official Gazette*, dated the 15th October 1997 at Page Nos. 104 to 133-A, has sanctioned modification to Regulations 33 (10) and 33(14) of the said Development Control Regulations for effective implementation of Slum Rehabilitation Schemes, which has come into force with effect from 15th October 1997 ;

And whereas, the Government of Maharashtra in the Urban Development, *vide* Notification No. DCR. 1095/1209/C.R. 273/95/UD-11, dated the 30th November 2002, has further modified Regulation 33(10) under section 37(2) of the said Act, (hereinafter referred to as “the said modified Regulation”) ;

And whereas, the said Authority felt to give impetus to slum rehab Scheme under Regulation 33(10) and to motivate the developers to implement the program of the State Govt. to create more housing stock in the market, the said Authority in its 14th meeting have resolved to initiate the modification proposal under section 37(1B) of the said Act ;

And whereas, *vide* resolution No. 5/6/4, dated 28th August 1997, the said Authority has empowered and authorized the Chief Executive Officer, Slum Rehabilitation Authority (hereinafter referred to as "the said Officer") to call for objections and suggestions as stipulated under section 37(1B) of the said Act;

And whereas, the said Authority in exercise of the powers conferred under sub-section (1B) of Section 37, had issued Notice No. SRA/DDTP/CEO/33(10)/DCR/2015, dated 21st September, 2015 for inviting suggestions/objections from the general public with regard to the modification in Clause 3.12, Regulation 33(10) Appendix-IV of said Regulations (hereinafter referred to as the proposed modification) proposed in the Schedule appended to the said Notice ;

And whereas, the said Notice No. SRA/DDTP/CEO/33(10)/DCR/2015, dated 21st September 2015 was published in the *Maharashtra Government Gazette* dated 24-30 September 2015 (hereinafter referred to as "the *Official Gazette*") and the said Officer has submitted his Report *vide* letter dated 2nd December 2015, after completing the legal procedure stipulated under Section 37(1B) of the said Act ;

And whereas, after considering the Report of the said Officer and after consulting the Director of Town Planning, Maharashtra State, the Government has sanctioned the proposed modification in respect of Sub Clause A, B, E *vide* Notification of even no. dated 20th May 2016 and kept in abeyance the proposed modification in respect of clause (C) & (D).

Now, therefore, in exercise of the powers conferred upon it under section 37(2) of the said Act, the Government hereby :—

(A) Sanctions the proposed modification in respect of Sub Clause (D) and refuses to accord sanction in respect of Sub Clause (C) as described more specifically in the Schedule appended hereto.

(B) Fixes the date of publication of this Notification in the *Official Gazette* as the date of coming into force of this modification.

(C) Directs the Municipal Corporation of Greater Mumbai and the Slum Rehabilitation Authority that in the Schedule of Modifications sanctioning the said Regulations, after the last entry, the Schedule appended hereto shall be added.

The said modification shall be kept open for inspection by the general public during the office hours on all working days in the office of the Municipal Commissioner, Municipal Corporation of Greater Mumbai and Chief Executive Officer, Slum Rehabilitation Authority.

Schedule

SANCTIONED MODIFICATION

Sr. No.	Regulation No.33 (10) (Appendix-IV)	Original Provision	Sanctioned Provision <i>Vide</i> Notification of even No. dated 20th May 2016	Sanctioned Modification <i>vide</i> this Notification
(1)	(2)	(3)	(4)	(5)
1	Clause 3.12	<p>3.12 Minimum Density On The Plot Including Non-Residential Units : The minimum density of rehabilitation component on plot shall be 500 tenements per net hectare, that is, after deducting all reservations actually implemented on site including the land appurtenant thereto, but not deducting the recreational amenity open space on the remaining area. If the number of tenements to be provided to the hutment dwellers is less than the minimum, the balance shall be handed over free of cost to the Slum Rehabilitation Authority. The Authority shall use them for the purpose of transit or Project affected persons or pavement-dwellers or slum dwellers from other slums.</p> <p>Provided if slum rehabilitation scheme is undertaken by a Federation, Co-Op. Housing society consisting of members who are serving or retired State Govt. Employees /</p>	<p>3.12 (A) Minimum Density On The Plot Including Non-Residential Units : The minimum density of rehabilitation component on plot shall be 500 tenements per net hectare, that is, after deducting all reservations actually implemented on site including the land appurtenant thereto, but not deducting the recreational/amenity open space on the remaining area. If the number of tenements to be provided to the hutment dwellers is less than the minimum, the balance shall be handed over free of cost to the Slum Rehabilitation Authority.</p> <p>The Authority shall use them for the purpose of transit or Project-affected persons or affordable housing, rental housing, staff quarters etc.</p> <p>(B) If there is balance FSI available in a slum scheme, after in situ development of rehab as well as sale component, development of additional PAPs, affordable housing, rental housing, staff quarters etc. as decided by Chief Executive Officer (SRA) may be allowed in the Scheme up to an</p>	<p>3.12(C) The published provision of clause (C) as per Notice No. SRA / DDTP/ CEO/33(10)/DCR /2015, dated 21st September, 2015 by the Slum Rehabilitation Authority is rejected.</p> <p>3.12(D) Notwithstanding anything contained in clause 3.8, whenever total No. of slum dwellers in a Scheme are less than 650 per hectare, Scheme will be sanctioned with taking all the slum dwellers in account and if final eligibility is less than constructed tenements then remaining tenements shall be treated as PAPs / Affordable housing, rental housing, staff quarters etc. In case of tenement density between 650 to 800, all slum dwellers shall be counted for construction of tenements but in situ FSI sanctioned will be 3.00. Only after finalization of eligibility if eligible tenements density comes out to be more than 650 per hectare; FSI of 4.00 as per rules shall be sanctioned. If total No. of slum dweller is more than 800 per hectare, Scheme shall be sanctioned with taking all slum dwellers with corresponding FSI of 4.00 and in case of tenements remaining after allotment to eligible slum dwellers, these would be converted into PAPs/ Affordable Housing/Rental housing/Staff quarters etc. However, in case of on going schemes where the tenement density is more than 650, considering the total number of slum</p>

(1)	(2)	(3)	(4)	(5)
	Employees of the State Govt. Undertakings / Employees of local bodies of State Government for providing housing to its members, such tenements which are generated over and above the tenements to be provided to the existing eligible hutment dwellers, shall be handed over back to the said Federation / Co-operative Housing Society for providing housing to its above mentioned members and subject to further additional terms and conditions as would be imposed by the Chief Executive Officer, Slum Rehabilitation Authority to ensure adequate membership of class III and class IV employees.	extent such that this development and corresponding sale component development remains within the limit of maximum permissible FSI in the said Scheme. (E) If slum rehabilitation scheme is undertaken by a Federation, Co-Op. Housing society consisting of members who are serving or retired State Govt. Employees/ Employees of the State Govt. Undertakings/ Employees of local public bodies for providing housing to its members, such tenements which are generated over and above the tenements to be provided to the existing eligible hutment dwellers, shall be handed over back to the said Federation/ Co.-operative Housing Society for providing housing to its above mentioned members and subject to further additional terms and conditions as would be imposed by the Chief Executive Officer , Slum Rehabilitation Authority to ensure adequate membership of class III and class IV employees.	dwellers listed in certified Ann.-II and the appeals for eligibility are pending, such schemes will be considered for grant of FSI of 4.00, the remaining tenements after finalization of appeals will be treated as PAP's/ Affordable Housing /Rental Housing/Staff quarters etc.	

This Notification shall also be made available on the Govt. website www.maharashtra.gov.in

By order and in the name of the Governor of Maharashtra,

KISHOR D. GIROLLA,

Under Secretary to Government.